

South Dakota Board of Physical Therapy
Friday, July 28, 2023 – 10:00 AM CDT
Hills Room
Red Rossa, 808 W. Sioux Avenue, Pierre SD 57501

Meeting Agenda

1. Call to Order
2. Approval of Agenda
3. Introductions
4. Election of Officers
 - a. President
 - b. Vice President
 - c. Secretary
5. Open Forum (*10 minutes for the public to address the Board*)
6. Approval of Minutes of July 10, 2023 Meeting
7. Board Orientation
8. Old Business
 - a. Status of Licensure Database
 - b. Update on ORI and background checks
9. New Business
 - a. Review of Board Finances
 - b. Develop Mission Statement
 - c. Review of Administrative Rules
 - d. Select Physical Therapy Compact Commission Representative
10. Set future meeting dates
11. Adjourn

The Board will be taking a 30-minute lunch break at noon (approximate time).

**South Dakota Board of Physical Therapy
Via TEAM
July 10, 2023**

Mariah Pokorny, Director of Accreditation and Reporting, South Dakota Department of Health called the meeting to order at 4:04 pm central and determined a quorum.

Board Members Present via TEAMS: Linda Ahrendt, Patti Berg-Poppe, Rebeca Schmitz, Leonard Suel, Brad Thuringer, Janelle Toman, and Matthew Weigel

Others Present via TEAMS: Lynne Valenti, Deputy Secretary, SD Department of Health; Howard Pallotta, Legal Counsel, SD Department of Health; and Susan Sporrer, SD Department of Health

Motion to go into executive session pursuant to 1-25-2(3) to consult with legal counsel on contractual matters at 4:11 pm by Toman. Seconded by Ahrendt. **Motion carried.**

Pokorny declared the Board out of executive session at 4:34 pm.

Motion to award the contract for the Executive Secretary position to Profession Licensing by Suel. Seconded by Schmitz. **Motion carried.**

Motion to adjourn by Toman. Seconded by Berg-Poppe. **Motion carried.**

The Board adjourned 4:43 pm.

Respectfully Submitted,

Susan Sporrer, SD Department of Health

STATE OF SOUTH DAKOTA VOUCHER

Direct
Travel
Non-Cash
Cash Receipt

XXXX Cash Transfer
Investment
Appropriation Budget Transfer

Expenditure Correction
Revenue Correction
Period Ending Adjustment
Other Adjustment

Application Area 40	Vendor Number	Invoice ID	Voucher Number	Date
Date 7/20/23	Purchase Order ID	Document ID T0940034	Delivery Date	Payment Due Date
To: (Payee, Billed Agency)			From: (Department, Billing Agency) Dept of Health	

Line	Company	Account	Center	User	Project	Amount	Code
1	6503	5228000	0920000	84001		1,158,648.00	DR
2	6503	4910000	0921000	66701		1,158,648.00	CR
3							
4							
5							
6							
7							
8							
9							
10							
Total						2,317,296.00	

Description of Service, Product, or Transfer	Amount	Code
move cash from Board of Medical & Osteopathic Examiners to Board of Physical Therapy to fund the new board that was split from SBBMOE in Senate Bill.	2,317,296.00	
Total	2317296.00	

I declare and affirm under the penalties of perjury that this claim has been examined by me, and to the best of my knowledge and belief things true and correct.

Cally Hall
Claimant

07/20/2023
Date

Cally Hall
Authorization

7-20-23
Date

Examples of State Boards of Physical Therapy Mission Statements

	MISSION STATEMENT
Alaska	Ensure that competent, professional and regulated commercial services are available to Alaska consumers.
Arkansas	Protect the public from incompetent, unprofessional, and unlawful practice of physical therapy.
California	To advance and protect the interests of the people of California by the effective administration of the Physical Therapy Practice Act.
Idaho	To help protect the public health, safety and welfare through the licensure and regulation of physical therapists in Idaho.
Illinois	To ensure that competent professionals are licensed to provide services to the public
Kansas	Safeguard the public through licensure, education and discipline of those who practice the healing arts in Kansas.
Kentucky	Protect the public by ensuring that licensure qualifications and standards are met and that appropriate disciplinary action is taken when violations of the Practice Act occur.
Maryland	To protect the health, safety, and welfare of all Marylanders through the promotion and oversight of the Physical Therapy Act.
Minnesota	To ensure that Minnesota Citizens receive appropriate Physical Therapy Services from competent Physical Therapists and Physical Therapist Assistants.
Montana	Protect the health, safety and well being of Montana citizens through the licensing of competent health professionals and by the regulation of the related practices to promote the delivery of quality health care.
Nevada	Protects and promotes the health and safety of Nevadans by pursuing the highest quality of physical therapy practice through education, communication, licensing, legislation, regulation, and enforcement.
New Jersey	Protect the health, safety and welfare of the people of New Jersey; investigating and prosecuting physical therapists and physical therapists assistants who have broken the state's consumer protection laws; and ensure that physical therapy is performed in compliance with State law.
New Mexico	To actively promote, regulate, and protect the health of all stakeholders in New Mexico through effective oversight of the profession of physical therapy, including all aspects related to licensure, revision of the rules and regulations, and promoting the public's best interest for those services it seeks.
Ohio	To actively promote and protect the health of Ohioans through effective regulation of the professions of occupational therapy, physical therapy, athletic training, orthotics, prosthetics, and pedorthics.
Oklahoma	To promote the Health, Safety and Well-being of the citizens (patients) of Oklahoma by requiring a high level of qualifications, standards and continuing education for licenses regulated by Oklahoma Medical Board. To protect the on-going Health Safety and Well-being of the citizens (patients) of Oklahoma by investigating complaints, conducting public hearings, effectuating and monitoring disciplinary actions against any of the licensed professionals, while providing the licensee with proper due process and all rights afforded under the law. To provide any member of society upon request, a copy of the specific public records and information on any of the licensed professionals.
South Dakota	To protect the health and welfare of the state's citizens by assuring that only qualified allopathic and osteopathic physicians, advanced life support personnel, athletic trainers, dietitians, genetic counselors, licensed nutritionists, occupational therapists, occupational therapy assistants, physician assistants, physical therapists, physical therapist assistants, and respiratory care practitioners are licensed to practice in South Dakota.
Washington	To protect the public's health and safety and to promote the welfare of the state by regulating the competency and quality of professional healthcare providers under its jurisdiction.
Wyoming	To safeguard the health, safety and welfare of the citizens of Wyoming by ensuring that those individuals licensed or certified to provide physical therapy services are appropriately qualified.

Examples of Mission Statements of Other Licensing Boards Under Department of Health

	MISSION STATEMENT
Certified Professional Midwives	To secure safe, out-of-hospital childbirth attended by licensed and competent midwives, to protect the consumer of midwifery services by holding these midwives accountable to the statutes and rules pertaining to their profession, to update rules as needed to meet current, evidence-based standards of midwifery practice, to license qualified midwives, and to process complaints in a fair and expeditious manner.
Chiropractic Examiners	To protect the continuing health, welfare, and safety of consumers of chiropractic services by ensuring that qualified chiropractors are licensed and their practice is regulated by enforcement of updated statutes, rules, regulations, and board policies, including continuing education and consumer complaint processing.
Dentistry	To protect the health and safety of the consumer public from the services of unqualified dentists, dental hygienists, and registered dental assistants by licensure of qualified persons, enforcement of the statutes, rules and regulations governing the practice of dentistry, including the inspection of facilities and appropriate resolution of complaints.
Funeral Services	To receive consumer inquiries and complaints; to license funeral practitioners and establishments in the State of South Dakota which ensure the consumer that he is dealing with qualified practitioners and establishments; to register all trainees in funeral service and administer an apprenticeship program for the trainees; to improve inspection procedures of funeral homes and crematories; to enforce the updated statutes and rules and regulations governing the practice of funeral service in South Dakota, including complaint processing from the consumer and licensees; and, to make investigations and hold hearings as needed.
Hearing Aid Dispensers & Audiologists	To protect the health and safety of the consumer public by licensure of qualified persons, enforcement of the statutes, rules and regulations governing the practice of hearing aid dispensing and audiology, including the appropriate resolution of complaints.
Massage Therapy	To protect the health and safety of the public by mandatory licensure of qualified persons and enforcement of the statutes, rules, and regulations governing the practice of massage therapy, including processing and investigating properly filed complaints and holding hearings as warranted.
Nursing	To protect the public through the regulation of nursing licensure, practice and education, in accordance with SDCL 36-9, SDCL 36-9A, ARSD 20:48, and ARSD 20:62.
Nursing Facility Administrators	To enforce updated statutes and rules promulgated to regulate the mandatory licensing for Nursing Facility Administrators, and to monitor the mandatory continuing education for licensure renewal.
Optometry	To protect the public by ensuring competent visual care, licensure of qualified applicants, inspection of optometric offices, and enforcing updated statutes, rules, and regulations, including consumer complaint review and processing.
Pharmacy	To protect and promote the health and safety of the public by supporting pharmacists and pursuing the highest quality pharmaceutical care through education, communication, licensing, legislation, regulation, and enforcement.
Podiatry	To ensure the health, welfare, and safety of South Dakota consumers via licensure, continuing education, and inspection of the practice of podiatry; to establish policy related to the practice of podiatry through the enforcement of updated statutes, rules, and regulations; and, by expeditious and fair processing of complaints registered by patient-consumer against licensees.
Speech-Language Pathologists	To protect the health and safety of the public by licensure of qualified persons and enforcement of the statutes, rules and regulations governing the practice of speech language pathology, including the appropriate processing and resolution of complaints.

ARTICLE 20:66

PHYSICAL THERAPISTS AND PHYSICAL THERAPIST ASSISTANTS

Chapter

20:66:01	Fees.
20:66:02	Ethics.
20:66:03	Continuing education.
20:66:04	Dry needling.
<u>20:66:05</u>	

Declaratory Ruling: Declaratory Ruling of the Board of Medical and Osteopathic Examiners dated September 21, 1994, was vacated by the Board of Medical and Osteopathic Examiners by order of the board dated March 30, 2015.

CHAPTER 20:66:01

FEES

Section

20:66:01:01	Fee amounts.
20:66:01:02	Repealed.
20:66:01:03	Repealed.
20:66:01:04	Repealed.

20:66:01:01. Fee amounts. The fees for the physical therapists and physical therapist assistants are as follows:

- (1) Application for the initial license, ~~\$60~~ one hundred twenty dollars;
- (2) ~~Annual~~ Biennial renewal of the license, ~~\$60~~ one hundred twenty dollars;
- (3) Reinstatement of a forfeited license, ~~\$50~~ fifty dollars.

Source: 15 SDR 40, effective September 13, 1988; 22 SDR 61, effective November 5, 1995; 34 SDR 93, effective October 17, 2007.

General Authority: SDCL 36-10-36.

Law Implemented: SDCL 36-10-28, 36-10-33.

20:66:01:02. Reciprocity fee. Repealed.

Source: 15 SDR 40, effective September 13, 1988; repealed, 34 SDR 93, effective October 17, 2007.

20:66:01:03. Annual license renewal fee. Repealed.

Source: 15 SDR 40, effective September 13, 1988; repealed, 34 SDR 93, effective October 17, 2007.

20:66:01:04. Physical therapy assistant fee. Repealed.

Source: 15 SDR 40, effective September 13, 1988; repealed, 34 SDR 93, effective October 17, 2007.

CHAPTER 20:66:02

ETHICS

Section

20:66:02:01 Code of ethics for physical therapists.

20:66:02:01.01 Code of ethics for physical therapist assistants.

20:66:02:02 Violations.

20:66:02:03 Ethical considerations.

20:66:02:01. Code of ethicsfor physical therapists. A ~~licensee under~~ physical therapist licensed in accordance with SDCL chapter 36-10 shall comply with the following code of ethics.

Principle #1: Physical therapists shall respect the inherent dignity and rights of all individuals.

1A. Physical therapists shall act in a respectful manner toward each person regardless of age, gender, race, nationality, religion, ethnicity, social or economic status, sexual orientation, health condition, or disability.

1B. Physical therapists shall recognize their personal biases and shall not discriminate against others in physical therapist practice, consultation, education, research, and administration.

Principle #2: Physical therapists shall be trustworthy and compassionate in addressing the rights and needs of ~~patients/clients~~ patients and clients.

2A. Physical therapists shall adhere to the core values of the profession and shall act in the best interests of ~~patients/clients~~ patients and clients over the interests of the physical therapist.

2B. Physical therapists shall provide physical-~~therapy~~ therapist services with compassionate and caring behaviors that incorporate the individual and cultural differences of ~~patients/clients~~ patients and clients.

2C. Physical therapists shall provide the information necessary to allow patients or their surrogates to make informed decisions about physical-~~therapy~~ therapist care or participation in clinical research.

2D. Physical therapists shall collaborate with ~~patients/clients~~ patients and clients to empower them in decisions about their health care.

2E. Physical therapists shall protect confidential ~~patient/client~~ patient and client information and may disclose confidential information to appropriate authorities only when allowed or as required by law.

Principal #3: Physical therapists shall be accountable for making sound professional judgments.

3A. Physical therapists shall demonstrate independent and objective professional judgment in the ~~patient's/client's~~ patient's and client's best interest in all practice settings.

3B. Physical therapists shall demonstrate professional judgment informed by professional standards, evidence (including current literature and established best practice), practitioner experience, and ~~patient/client~~ patient and client values.

3C. Physical therapists shall make judgments within their scope of practice and level of expertise and shall communicate with, collaborate with, or refer to peers or other health care professionals when necessary.

3D. Physical therapists shall not engage in conflicts of interest that interfere with professional judgment.

3E. Physical therapists shall provide appropriate direction of and communication with physical therapist assistants and support personnel.

Principal #4: Physical therapists shall demonstrate integrity in their relationships with ~~patients/clients~~ patients, clients, families, colleagues, students, research participants, other health care providers, employers, payers, and the public.

4A. Physical therapists shall provide truthful, accurate, and relevant information and shall not make misleading representations.

4B. Physical therapists shall not exploit persons over whom they have supervisory, evaluative or other authority (e.g., patients/clients, students, supervisees, research participants, or employees).

~~4C. Physical therapists shall discourage misconduct by health care professionals and report illegal or unethical acts to the relevant authority, when appropriate.~~

~~4D. Physical therapists shall report suspected cases of abuse involving children or vulnerable adults to the appropriate authority, subject to law.~~

~~4E.~~ Physical therapists shall not engage in any sexual relationship with any of their ~~patients/clients~~ patients, clients, supervisees, or students.

~~4F~~4D. Physical therapists shall not harass anyone verbally, ~~physical~~ physically, emotionally, or sexually.

4E. Physical therapists shall discourage misconduct by physical therapists, physical therapist assistants, and other health care professionals and, when appropriate, report illegal or unethical

acts, including physical, emotional, or sexual harassment, to an appropriate authority with jurisdiction over the conduct.

4F. Physical therapists shall report suspected cases of abuse involving children or vulnerable adults to the appropriate authority, subject to law.

Principle #5: Physical therapists shall fulfill their legal and professional obligations.

5A. Physical therapists shall comply with applicable local, state, and federal laws and regulations.

5B. Physical therapists shall have primary responsibility for supervision of physical therapist assistants and support personnel.

5C. Physical therapists involved in research shall abide by accepted standards governing protection of research participants.

5D. Physical therapists shall encourage colleagues with physical, psychological, or substance-related impairments that may adversely impact their professional responsibilities to seek assistance or counsel.

5E. Physical therapists who have knowledge that a colleague is unable to perform their professional responsibilities with reasonable skill and safety shall report this information to the appropriate authority.

5F. Physical therapists shall provide notice and information about alternatives for obtaining care in the event the physical therapist terminates the provider relationship while the ~~patient/client~~ patient or client continues to need physical-~~therapy~~ therapist services.

Principal #6. Physical therapists shall enhance their expertise through the lifelong acquisition and refinement of knowledge, skills, abilities, and professional behaviors.

6A. Physical therapists shall achieve and maintain professional competence.

6B. Physical therapists shall take responsibility for their professional development based on critical self-assessment and reflection on changes in physical therapist practice, education, health care delivery, and technology.

6C. Physical therapists shall evaluate the strength of evidence and applicability of content presented during professional development activities before integrating the content or techniques into practice.

6D. Physical therapists shall cultivate practice environments that support professional development, lifelong learning, and excellence.

Principle #7. Physical therapists shall promote organizational behaviors and business practices that benefit ~~patients/clients~~ patients, clients, and society.

7A. Physical therapists shall promote practice environments that support autonomous and accountable professional judgments.

7B. Physical therapists shall seek remuneration as is deserved and reasonable for physical therapist services.

7C. Physical therapists shall not accept gifts or other considerations that influence or give an appearance of influencing their professional judgment.

7D. Physical therapists shall fully disclose any financial interest they have in products or services that they recommend to ~~patients/clients~~ patients and clients.

7E. Physical therapists shall be aware of charges and shall ensure that documentation and coding for physical ~~therapy~~ therapist services accurately reflect the nature and extent of the services provided.

7F. Physical therapists shall refrain from employment arrangements, or other arrangements, that prevent physical therapists from fulfilling professional obligations to ~~patients/clients~~ patients and clients.

Principle #8: Physical therapists shall participate in efforts to meet the health needs of people locally, nationally, or globally.

8A. Physical therapists shall provide pro bono physical ~~therapy~~ therapist services or support organizations that meet the health needs of people who are economically disadvantaged, uninsured, and underinsured.

8B. Physical therapists shall advocate ~~reducing to reduce~~ health disparities and health care inequities, improve access to health care services, and address the health, wellness, and preventive health care needs of people.

8C. Physical therapists shall be responsible stewards of health care resources and shall avoid overutilization or underutilization of physical ~~therapy~~ therapist services.

8D. Physical therapists shall educate members of the public about the benefits of physical therapy and the unique role of the physical therapist.

Source: 41 SDR 180, effective May 21, 2015.

General Authority: SDCL 36-10-36.

Law Implemented: SDCL 36-10-39, 36-10-40.

Reference: ~~Code of Ethics of the~~ American Physical Therapy Association. Code of Ethics for the Physical Therapist, ~~2010~~ 2020. Copies may be obtained ~~from~~ http://www.apta.org/uploadedFiles/APTAorg/About_Us/Policies/Ethics/CodeofEthics.pdf online at <https://www.apta.org/your-practice/ethics-and-professionalism>.

20:66:02:01.01. Standards of ethical conduct for physical therapist assistants. A physical therapist assistant licensed in accordance with SDCL chapter 36-10 shall comply with the following standards of ethical conduct.

Standard #1: Physical therapist assistants shall respect the inherent dignity and rights of all individuals.

1A. Physical therapist assistants shall act in a respectful manner toward each person regardless of age, gender, race, nationality, religion, ethnicity, social, or economic status, sexual orientation, health condition, or disability.

1B. Physical therapists assistants shall recognize their personal biases and shall not discriminate against others in the provision of physical therapist services.

Standard #2: Physical therapist assistants shall be trustworthy and compassionate in addressing the rights and needs of patients and clients.

2A. Physical therapists assistants shall act in the best interests of patients and clients over the interests of the physical therapist assistant.

2B. Physical therapists assistants shall provide physical therapist interventions with compassionate and caring behaviors that incorporate the individual and cultural differences of patients and clients.

2C. Physical therapists assistants shall provide patients and clients with information regarding the interventions they provide.

2D. Physical therapists assistants shall protect confidential patient and client information, and in collaboration with the physical therapist, may disclose confidential information to appropriate authorities only when allowed or as required by law.

Standard #3: Physical therapist assistants shall make sound decisions in collaboration with the physical therapist and within the boundaries established by laws and regulation.

3A. Physical therapists assistants shall make objective decisions in the patient's or client's best interest in all practice settings.

3B. Physical therapists assistants shall be guided by information about best practice regarding physical therapist interventions.

3C. Physical therapists assistants shall make decisions based upon their level of competence and consistent with patient and client values.

3D. Physical therapists assistants shall not engage in conflicts of interest that interfere with making sound decisions.

3E. Physical therapists assistants shall provide physical therapist services under the direction and supervision of a physical therapist and shall communicate with the physical therapist when patient or client status requires modifications to the established plan of care.

Standard 4: Physical therapist assistants shall demonstrate integrity in their relationships with patients, clients, families, colleagues, students, research participants, other health care providers, employers, payers, and the public.

4A. Physical therapists assistants shall provide truthful, accurate, and relevant information and shall not make misleading representations.

4B. Physical therapists assistants shall not exploit persons over whom they have supervisory, evaluative, or other authority (e.g., patients, clients, students, supervisees, research participants, or employees).

4C. Physical therapists assistants shall not engage in any sexual relationships with any of their patients, clients, supervises, or students.

4D. Physical therapists assistants shall not harass anyone verbally, physically, emotionally, or sexually.

4E. Physical therapists assistants shall discourage misconduct by physical therapists, physical therapist assistants, and other health care professionals and, when appropriate, report illegal or unethical acts, including verbal, physical, emotional, or sexual harassment, to an appropriate authority with jurisdiction over the conduct.

4F. Physical therapists assistants shall report suspected cases of abuse involving children or vulnerable adults to the appropriate authority, subject to law.

Standard #5: Physical therapist assistants shall fulfill their legal and ethical obligations.

5A. Physical therapists assistants shall comply with applicable local, state, and federal laws and regulations.

5B. Physical therapists assistants shall support the supervisory role of the physical therapist to ensure quality care and promote patient and client safety.

5C. Physical therapists assistants involved in research shall abide by accepted standards governing protection of research participants.

5D. Physical therapists assistants shall encourage colleagues with physical, psychological, or substance-related impairments that may adversely impact their professional responsibilities to seek assistance or counsel.

5E. Physical therapists assistants who have knowledge that a colleague is unable to perform their professional responsibilities with reasonable skill and safety shall report this information to the appropriate authority.

Standard #6: Physical therapist assistants shall enhance their competence through the lifelong acquisition and refinement of knowledge, skills, and abilities.

6A. Physical therapists assistants shall achieve and maintain clinical competence.

6B. Physical therapists assistants shall engage in lifelong learning consistent with changes in their roles and responsibilities and advances in the practice of physical therapy.

6C. Physical therapists assistants shall support practice environments that support career development and lifelong learning.

Standard #7: Physical therapist assistants shall support organizational behaviors and business practices that benefit patients, clients, and society.

7A. Physical therapists assistants shall promote work environments that support ethical and accountable decision-making.

7B. Physical therapists assistants shall not accept gifts or other considerations that influence or give an appearance of influencing their decisions.

7C. Physical therapists assistants shall fully disclose any financial interest they have in products or services that they recommend to patients and clients.

7D. Physical therapists assistants shall ensure that documentation for their interventions accurately reflects the nature and extent of the services provided.

7E. Physical therapists assistants shall refrain from employment arrangements, or other arrangements, that prevent physical therapist assistants from fulfilling ethical obligations to patients and clients.

Standard #8: Physical therapist assistants shall participate in efforts to meet the health needs of people locally, nationally, or globally.

8A. Physical therapists assistants shall support organizations that meet the health needs of people who are economically disadvantaged, uninsured, and underinsured.

8B. Physical therapists assistants shall advocate for people with impairments, activity limitations, participation restrictions, and disabilities in order to promote their participating in community and society.

8C. Physical therapists assistants shall be responsible stewards of health care resources by collaborating with physical therapists in order to avoid overutilization or underutilization of physical therapist services.

8D. Physical therapists assistants shall educate members of the public about the benefits of physical therapy.

Source:

General Authority: SDCL 36-10-36.

Law Implemented: SDCL 36-10-39, 36-10-40.

Reference: American Physical Therapy Association, Standard of Ethical Conduct for the Physical Therapy Assistant, 2020. Copies may be obtained online at <https://www.apta.org/your-practice/ethics-and-professionalism>.

20:66:02:02. Violations. A violation of any of the ethical standards and conduct is considered unprofessional conduct as defined by SDCL 36-10-40.

Source: 41 SDR 180, effective May 21, 2015.

General Authority: SDCL 36-10-36.

Law Implemented: SDCL 36-10-39, 36-10-40.

20:66:02:03. Ethical considerations. The ~~board~~ Board of Physical Therapy may utilize the annotations and opinions included in the Code of Ethics of the American Physical Therapy Association as guidance in determining whether a licensee has violated professional ethical standards and conduct.

Source: 41 SDR 180, effective May 21, 2015.

General Authority: SDCL 36-10-36.

Law Implemented: SDCL 36-10-39, 36-10-40.

CHAPTER 20:66:03

CONTINUING EDUCATION

Section

- 20:66:03:01 Continuing education hours ~~15 hours~~.
- 20:66:03:02 Activities for continuing education requirements.
- 20:66:03:03 Reporting continuing education.
- 20:66:03:04 Waiver of continuing education requirements.

20:66:03:01. Continuing education hours ~~15 hours~~. ~~An applicant to~~ To renew a license, ~~a licensee~~ shall complete ~~15~~ fifteen continuing education hours in a one-year period in professional education activities updating competency in physical therapy.

Source: 44 SDR 168, effective May 7, 2018.

General Authority: SDCL 36-10-36.

Law Implemented: SDCL 36-10-35.2, 36-10-36.

20:66:03:02. Activities for continuing education requirements. Activities that qualify for credit toward completion of the continuing education requirement include programs sponsored or approved by the American Physical Therapy Association or other national or state physical therapy association, activities conducted by a hospital or related institution, and programs sponsored by a college or university. The educational activities must have significant intellectual or practical content dealing primarily with matters directly related to the practice of physical therapy or to the professional responsibility or ethical obligations of the participants.

Source: 44 SDR 95, effective December 7, 2017.

General Authority: SDCL 36-10-36.

Law Implemented: SDCL 36-10-33, 36-10-35.2.

20:66:03:03. Reporting continuing education. To demonstrate compliance with the continuing education requirements, each physical therapist and physical therapist assistant shall sign a statement to confirm completion of the required continuing education hours each year on the renewal application, and shall present proof of completion if requested by the ~~board~~ Board of Physical Therapy.

Source: 44 SDR 95, effective December 7, 2017.

General Authority: SDCL 36-10-36.

Law Implemented: SDCL 36-10-33, 36-10-35.2.

20:66:03:04. Waiver of continuing education requirements. The ~~board~~ Board of Physical Therapy may excuse an applicant from the annual continuing education requirements if the applicant submits an affidavit to the board stating that the applicant was prevented from completing the requirements because of illness or undue hardship.

Source: 44 SDR 95, effective December 7, 2017.

General Authority: SDCL 36-10-36.

Law Implemented: SDCL 36-10-33, 36-10-35.2.

CHAPTER 20:66:04

DRY NEEDLING

Section

- 20:66:04:01 Definitions.
- 20:66:04:02 Dry needling course of study.
- 20:66:04:03 Proof of course completion.
- 20:66:04:04 Dry needling delegation.

20:66:04:01. Definitions. Words defined in SDCL chapter 36-10 have the same meaning when used in this article. In addition, words used in this article mean:

(1) "Dry needling," a skilled technique performed by a licensed physical therapist who has completed an approved course of training using filiform needles to penetrate the skin and underlying tissues to affect change in body structures and physical function capability for the evaluation and management of neuromusculoskeletal conditions, pain, movement impairments, and disability.

Source: 45 SDR 9, effective August 1, 2018.

General Authority: SDCL 36-10-36, 36-10-52.

Law Implemented: SDCL 36-10-18, 36-10-52.

20:66:04:02. Dry needling course of study. The ~~board~~ Board of Physical Therapy may approve a course of study in dry needling that meets the following criteria:

(1) The course of study shall include:

(a) Surface anatomy as it relates to underlying tissues, organs, and other structures, including variations in form, proportion, and anatomical landmarks;

(b) Both emergency preparedness and response procedures related to secondary physiological effects or complications with dry needling;

(c) Both emergency preparedness and response procedures related to secondary emotional effects or complications associated with dry needling;

(d) Standards for dry needle handling;

(e) Factors influencing safety and injury prevention;

(f) Personal protection procedures and techniques as related to dry needling;

(g) Theoretical basis for dry needling;

- (h) Theoretical basis for combining dry needling with other interventions;
- (i) Secondary effects or complications associated with dry needling on other systems;
- (g) Theoretical basis of pain sciences, including anatomy, physiology, pathophysiology, and relation to body structures and function;
- (k) Indications, contraindications, and precautions related to dry needling;
- (l) Palpation techniques as related to dry needling;
- (m) Needle insertion techniques;
- (n) Needle manipulation techniques;
- (o) Physiological responses to dry needling; and
- (p) Solid filament needles;

(2) The majority of the course of study shall be in-person. Courses held entirely online or by other distance learning will not satisfy this requirement; and

(3) The physical therapist may only perform dry needling on the parts of the body included in the course of study.

Source: 45 SDR 9, effective August 1, 2018.

General Authority: SDCL 36-10-52.

Law Implemented: SDCL 36-10-52.

20:66:04:03. Proof of course completion. Prior to performing dry needling, the physical therapist shall, on a form approved by the ~~board~~ Board of Physical Therapy, provide proof of successful completion of a board approved course of study in dry needling evaluated through a practical, hands-on evaluation and a written examination.

Source: 45 SDR 9, effective August 1, 2018.

General Authority: SDCL 36-10-52.

Law Implemented: SDCL 36-10-52.

20:66:04:04. Dry needling delegation. Dry needling may not be delegated to a physical therapist assistant.

Source: 45 SDR 9, effective August 1, 2018.

General Authority: SDCL 36-10-36, 36-10-52.

Law Implemented: SDCL 36-10-52.